



U.S. Department
of Transportation
**Federal Highway
Administration**

Massachusetts Division

March 23, 2012

55 Broadway, 10th Floor
Cambridge, MA 02142-1093
617-494-3657
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www.fhwa.dot.gov/madiv

In Reply Refer To:
HDA-MA

Mr. Thomas Gray, Director
Right of Way Bureau
MassDOT Highway Division
10 Park Plaza
Boston, MA 02116

RE: Acton-Maynard – Assabet River Rail Trail (604531)

Dear Mr. Gray,

Thank you for your letter dated March 5, 2012 regarding the Assabet River Rail Trail located in Acton-Maynard where the design funds are programmed in the FY 2012 STIP. This letter requested a waiver to acquire land (Town of Maynard Assessors' Map 5, Parcel 95) in advance of the 75% design and National Environmental Policy Act (NEPA) completion for the Assabet River Rail Trail Project. In this letter, you expressed MassDOT's support for this advance purchase of right of way by the Town of Maynard.

The Acton-Maynard Assabet River Rail Trail Project involves the construction of a 3.65 mile trail from the Stow/Maynard town line to the Massachusetts Bay Transportation Authority (MBTA) Commuter Rail Station in Acton, which includes two new bikeway bridges, replacement of an existing pedestrian bridge, a rehabilitation or replacement of a railroad bridge and possibly a boardwalk through a wetland area. The Town of Maynard currently owns all of the parcels in the former right of way or has alternative options for locations except for this one parcel which totals 53,135 square feet that the current owner is now interested in selling. Furthermore, this parcel of land is involved in a land swap that will ultimately allow the expansion of the Massachusetts State Police Crime Laboratory and preserve 14 acres of mature forest abutting the Assabet River National Wildlife Refuge.

Given the impact this land has on the comprehensive plan for this area, the Federal Highway Administration (FHWA) approves the waiver for the acquisition of this parcel preceding the completion of the 75% design phase and the completion of the environment review; however, the Town of Maynard should be cautioned that information gathered during the NEPA process could require the development of a different project alternative. Additionally, the Town of Maynard should be advised that compliance with the right of way acquisition process outlined in Code of Federal Regulations and Massachusetts General Laws and Code of Massachusetts Regulations is required in order to receive federal funding.

If you have any questions, please contact Dawn Horan at 617-494-3359.

Sincerely,

Pamela S. Stephenson
Division Administrator

A handwritten signature in blue ink that reads "Dawn Horan". The signature is fluid and cursive, with the first name "Dawn" and last name "Horan" clearly distinguishable.

By: Dawn Horan
Realty Specialist

cc: Pamela Marquis, MassDOT Compliance Administrator
Marie Rose, MassDOT Project Development Administrator
Michael Sullivan, Town of Maynard Administrator